



**MINUTES OF MEETING
TOWN OF CHESTER
PLANNING BOARD
NOVEMBER 17, 2014**

Mr. Little called the meeting to order at 7:00 p.m.

ATTENDANCE:

Chairman Paul Little, Al Muench, Harold Ellsworth, Eugene Dutcher, John Nick, Walter J. Tennyson (Zoning Administrator), and Jeremy J. Little (Secretary). Absent were Suzanne Robbins, George Hilton, and Rick Bump.

Present in the audience: Eric and Kristina "Kit" Isachsen (Eric and Eric, Inc.), Eric Cordis (Word of Life Project Engineer) and Roger Peace (Chief Operating Officer VP of National Ministries), Tim Beadnell (Loon Lake Park LLC), and John MacMillen (MacMillen Construction & Design).

MINUTES:

Mr. Muench mentioned he would like to amend the October 20, 2014 Meeting Minutes and suggested the minutes to include the following concerning the Bauman property on McPhillips Pine Lane:

Mr. Muench stated that since the issue of two dwellings on one lot has already been raised by other property owners, he would like to see the matter resolved prior to construction. This would eliminate the possibility of one of our builders starting construction and then having a lawsuit stop construction.

Mr. Dutcher made a motion to accept the amended minutes for the October 20, 2014 Meeting with the above read statement; motion seconded by Mr. Muench. Motion carried 5-0.

CORRESPONDENCE:

Zoning Administrator and Sanitary Code Enforcement Officer's Activity Report for October 2014.

PUBLIC HEARING:

Having been duly advertised, the public hearing for Site Plan Review Application #SPR2014-04 was opened by Chairman Little at 7:03 p.m.

#SPR2014-04: Jason Bradley is seeking Site Plan Review approval for an accessory apartment above an existing "Carriage House", located at 1 Pine Street, identified by Tax Map Parcel #: 104.10-3-2, in Zone Classification Moderate Intensity.

Mr. Eric Isachsen from Eric and Eric Inc. was present to represent Mr. Bradley and his proposal.

No persons from the public were present in the audience to express their concern(s) or to question about the proposal.

Mr. Ellsworth made a motion to close the public hearing at 7:04 p.m.; motion seconded by Mr. Dutcher. Motion carried 5-0.

Mr. Ellsworth made a motion to approve application **#SPR2014-04**; motion seconded by Mr. Dutcher. Motion carried 5-0.

NEW BUSINESS:

#SPR2014-05: Joseph Brand is seeking Site Plan Review approval for the relocation of the “All Brands Redemption Center” and “Susan Brand Salon” to property located at 6393 State Route 9, identified by Tax Map Parcel #: 104.10-2-8, in Zone Classification Hamlet.

Mr. Brand or a representative was not present at the Planning Board meeting.

Mr. Dutcher made a motion to table Site Plan Review Application **#SPR2014-05** and to hear the application at the next Planning Board meeting on December 15, 2014 at 7 p.m.; motion seconded by Mr. Ellsworth. Motion carried 5-0.

OLD BUSINESS: None.

PUBLIC PRIVILEGE:

Mr. Eric Cordis, project engineer for Word of Life Fellowship, presented to the Board a Master Plan highlighting the future development and construction of a Student Life Center. The presentation was primarily intended for informational purposes.

Mr. Cordis explained to the Board that Word of Life is looking to improve the facilities for Residence Halls, Fitness, and Administrative Offices as most of those buildings are in need to reflect the current times. He discussed the various facilities on the campus and the necessity to make everything more efficient. Mr. Cordis stated that most of the new buildings will be at a fair distance away from Glendale Road. As Mr. Cordis explained, the first phase would include the construction of a cafeteria and student lounge and would basically be identified as a Student Life Center.

Mr. Cordis felt that by presenting this to the Board before a possible application were to be submitted, it would benefit the Board members to have a familiarity with the possible submission of projects in the future that were highlighted on the Master Plan. Mr. Peace explained that at the present time, the master plan has not been intended for public release and they (Word of Life) are still unsure if it would even be attainable.

Mr. Cordis explained that he has met with the Adirondack Park Agency. Mr. Muench questioned if the Student Life Center would be the only portion considered for Site Plan

Review. There was discussion pertaining to the Student Life Center and the current gymnasium. Mr. Cordis stated the project for the Student Life Center would be submitted for Site Plan Review approval and that it would be classified as a Class B Regional Project.

Tim Beadnell was present to answer any questions pertaining to the construction of a camp store at Loon Lake RV Park. At the meeting on October 20th, Mr. Muench stated he read the section of the Use Chart for Low Intensity Zone Classification. He read the following statement:

For all commercial uses, any increase in the structural size or any addition or change in use shall be subject to project review.

Mr. Muench met with Mr. Beadnell off-site and Mr. Beadnell asked him questions as to why the Site Plan Review approval is required due to his belief that it had already been approved at the August 15, 2011 Planning Board Meeting. The application reviewed at the August 15, 2011 meeting was for #SPR2011-03 which involved the proposed expansion of Loon Lake RV Park by 33 additional sites. Mr. Muench stated his belief that even though the camp store was drawn on the Site Plan provided at the August 2011 Meeting, the approval of the camp store was never recorded in the Minutes nor was it mentioned in Application #SPR2011-03. Mr. Beadnell believed that he had already received approval in 2011 and did not intend to lead the Planning Board members to believe he was attempting to bypass their approval.

Board member Nick, who is also a member of the Loon Lake Park District Association, mentioned that there was concern that the Beach parking area was becoming overcrowded and there is inadequate parking. Mr. Beadnell agreed that there is an issue with parking. He did not believe his patrons of his business were parking their cars across the street and believed that if they were to use the beach area, they would most likely walk across the road. Mr. Nick stated there are safety concerns relating to that issue as well.

Mr. Beadnell explained to the Board the Site Plan that was submitted at the August 15, 2011 Meeting. Mr. Muench believed that the Zoning Local Law requires Mr. Beadnell to submit a Site Plan Review Application due to the fact that #SPR2011-03 only addressed the proposed expansion of the 33 additional sites.

Chairman Little read the Site Plan Review Approval sheet and as it states:

“Expansion of existing Campground, with addition of 33 new sites, as proposed. Permits required for construction of any new on-site buildings.”

Mr. Beadnell referred to *Section 10.05: Appeals of the Town of Chester Zoning Local Law* and he read, “The Appeal shall be taken within sixty days after the filing of any order or decision of the administrative official.” Mr. Muench explained that Site Plan Review is required for any addition to the commercial project.

Mr. Nick questioned if Mr. Beadnell submitted an application for the camp store, would a public hearing be necessary. Mr. Muench said that the public hearing is required unless waived and the purpose of the public hearing is to hear all interested parties that have

questions or concerns about the proposal. Mr. Nick felt that if the application is not submitted for the store, an issue(s) might come up in the future regarding this commercial structure.

Mr. Ellsworth did not believe it was necessary for Mr. Beadnell to submit an application because he felt it had already been approved since it was on the Site Plan provided at the meeting in 2011.

Mr. Muench expressed his belief that the Zoning Certificate for the Store should not have been issued before receiving Site Plan Review approval.

Mr. Tennyson explained that he would not issue a stop work order for the construction of the camp store with the reasoning that “winter is here and Tim has a lot of men he has to keep working.”

Mr. Little said that he was aware that the 33 additional sites and the bathhouse were approved in connection with #SPR2011-03. He suggested Mr. Beadnell to complete a Site Plan Review application for the camp store and submit to the Secretary in order to be heard at the next Board meeting on December 15th.

John MacMillen was present to answer questions relating to the Bauman project in the McPhillips Subdivision on Friends Lake. There are concerned residents on the Lake that have questioned how two dwellings can be built on one lot. Mr. MacMillen stated that in the Town of Chester’s Zoning, it states that as long as enough space is provided on the parcel, a property owner can construct a single family dwelling as well as a guest cottage on the same lot.

Mr. MacMillen said that two applications were submitted at the same time to the Zoning Office in 2012 for a Single Family Dwelling and a Guest Cottage. The guest cottage was built first on the parcel. A letter written by Bernice McPhillips addressed to the Baumans in 2010 was read and discussed at the meeting. Mr. MacMillen stated that before the Baumans purchased the lot, they requested a letter to confirm what was in the deed and to determine what was permitted on the parcel. There was discussion that this was not a Planning Board issue.

As a continuation from the last meeting, Mr. Muench followed up on the Frettoloso issue and discussed his visit to the Warren County Clerk. His visit encompassed being enlightened by the process of recording deeds and how “subdivisions” not approved by a Planning Board can be filed legally. Mr. Muench stated that when the deed was filed along with the RP-5217 Form, none of the boxes in Section 4 were checked to indicate Planning Board Approval. Further, the deed was filed and did not refer to a subdivision. Mr. Muench said that in between conversations with the Assessor Clerk in the Town, it was determined that Mr. and Mrs. Frettoloso were going to file a new deed and put their parcel back to the way it was before and have it considered as one lot instead of two. *(Entire paragraph removed; Please see Minutes from December 15, 2014 Meeting for an emendatory paragraph by Mr. Muench, in Bold Face Type.)*

BOARD PRIVILEGE: None.

ADJOURNMENT:

Mr. Muench made a motion to adjourn the meeting at 8:28 p.m.; seconded by Mr. Ellsworth
Motion carried 5-0.

Respectfully submitted,

Jeremy J. Little

Secretary